

REMARKS

Favorable reconsideration of this application is respectfully requested.

Claims 1-12 are pending in this application. Claims 1-12 were rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. 2004/0064380 to Hiratsuka in view of U.S. 5,805,699 to Akiyama et al. (herein "Akiyama"). That rejection is traversed as now discussed.

Applicants submitted a Request for Reconsideration in this application on June 4, 2010 which emphasized features in the claims that were believed to clearly distinguish over the applied art. That Response has now be entered by the concurrently filed Request for Continued Examination (RCE) papers. That Response emphasized the applied art did not disclose or suggest the claimed features reciting a controller operation to acquire medium identifying information specific to and characterizing a recorded-contents-carrying ***original recording medium***. Instead, particularly the applied art to Akiyama cited with respect to the claims was directed to identifying a ***target storage medium*** 3 that was not a recorded-contents-carrying original recording medium. Hiratsuka also did not disclose or suggest such features.

The Advisory Action of July 26, 2010 maintained the rejection and stated in comments therein:

Applicants argue the 'original recording medium' being different from medium to which the contents are to be copied. The Examiner respectfully disagrees and the argument is not persuasive as the 'original recording medium' is not lexico-graphically defined with necessary clarity, deliberateness and precision. The final rejection remains.

Although applicants submit the claims as written were clear to one of ordinary skill in the art, and particularly one of ordinary skill in the art would clearly understand a "recorded-contents-carrying original recording medium" is not a target medium onto which a recording

is to be copied, the claims are herein amended to clarify certain language. Each of the claims as currently written now recites a “recorded-contents-carrying original recording medium including contents to be copied”. The claims also now clarify an operation of copying the content “from said original recording medium”. Applicants submit such claim amendments even more clearly distinguish the claims over the applied art. Applicants submit clearly the cited *target* storage medium 3 in Akiyama is not an original recording medium including contents to be copied and from which contents are copied. That target storage medium 3 in Akiyama is clearly a medium to which an original contents is to be copied.

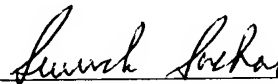
Hiratsuka also does not disclose or suggest such claimed features.

Thereby, applicants submit the claims as currently written positively recite features neither taught nor suggested by Hiratsuka and Akiyama, and thus the claims as written are allowable over that applied art.

As no other issues are pending in this application, it is respectfully submitted this application is in condition for allowance, and it is hereby respectfully requested that this case be passed to issue.

Respectfully submitted,

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